

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Young *et al.* Application No. 09/996,288
Patent No.: 6,818,216 Filed: November 28, 2001
Issued: November 16, 2004 Group Art Unit: 1648
For: ANTI-RSV ANTIBODIES Examiner: Stacy Brown CHEN
Attorney Docket No: 10271-047-999
(CAM #209073-999046)

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

Enclosed herewith for appropriate action by the United States Patent and Trademark Office are the following documents:

1. Request for Certificate of Correction;
2. Certificate of Correction; and
3. Return Post Card.

The Commissioner is hereby authorized to charge the Certificate of Correction fee of \$100 to Jones Day Deposit Account No. 50-3013. The Commissioner is also authorized to charge any other fees necessary or credit any overpayment to Jones Day Deposit Account No. 50-3013.

Date: June 13, 2007


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee:	Young <i>et al.</i>	Application No.	09/996,288
Patent No.:	6,818,216	Filed:	November 28, 2001
Issued:	November 16, 2004	Group Art Unit:	1648
For:	ANTI-RSV ANTIBODIES	Examiner:	Stacy Brown CHEN
		Attorney Docket No:	10271-047-999 (CAM #209073-999046)

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.322, the Patentees hereby request the issuance of a Certificate of Correction in connection with the above-identified patent. A Certificate of Correction setting forth the necessary corrections is submitted concurrently herewith.

An error in Col 41-42 of Table 2 is being corrected to change "A4B4L1" to "A4B4L1FR-S28R." Support for this correction can be found in the originally filed specification at Table 2, page 52. As such, Patentee submits that this correction does not constitute new matter and are fully supported by the specification of the originally filed application.

An error in the paragraph spanning Col. 94, lines 46-56 is also being corrected to reflect that the framework sequences are those depicted in Figure 2 (not Figure 1). Support for this correction is found in the originally filed specification, *e.g.*, at page 69, lines 23-25, which corresponds to Col. 54, line 66 - Col. 55, line 2 of the issued patent. As such, Patentee submits that this correction does not constitute new matter and are fully supported by the specification of the originally filed application.

An error in the last paragraph of column 37 is being corrected. Support for this correction is found, *e.g.*, in Figure 2, Table 2 and SEQ ID NOS: 7 and 8 (VH and VL domains of SYNAGIS); 226 and 227 (VH and VL chains of A4B4); 252 and 253 (VH and VL chains of A4B4(1)); 254 and 255 (VH and VL chains of A4B4L1FR-S28R (see

correction below; incorrectly listed as "A4B4L1" in the issued patent)); and 256 and 257 (VH and VL chains of A4B4 F52S). Similarly, an error in SEQ ID NO:11 is being corrected. As indicated in Table 2 of the specification, this sequence corresponds to the VL *domain* of A4B4L1FR-S28R (see correction above; incorrectly listed as "A4B4L1" in the issued patent). Specifically, SEQ ID NO:11 has been corrected to clarify that position 103 of the sequence is a *valine* (as opposed to a leucine). Patentee submits that support for this correction to the sequences is found in Table 2 of the specification and in the Sequence Listing as originally filed. In particular, Table 2 indicates that the sequences corresponding to the VL *chain* for A4B4L1FR-S28R is SEQ ID NO:255. As noted above, Table 2 also indicates that the sequences of the corresponding VL *domain* for A4B4L1FR-S28R is SEQ ID NO:11. Since the VL *chain* of a particular antibody by definition includes the VL *domain* of that antibody, the sequences of the VL *chain* (SEQ ID NO: 255) necessarily contains a subsequence that is the sequence of the VL *domain* of SEQ ID NO:11. Patentee recently became aware of a discrepancy at amino acid position 103 between the VL chain sequence and its corresponding VL domain sequence. In the VL chain sequences, the amino acid at position 103 is a *valine*. However, the VL domain sequence incorrectly lists the amino acid at position 103 as a *leucine*. Accordingly, Patentee has corrected SEQ ID NO:11 of the VL *domain* to recite a *valine* at position 103 to correct this error and to correspond with *valine* correctly recited in the VL *chain* sequence (SEQ ID NO:255). Patentee submits that this correction does not introduce new matter because it is clear from Table 2 that SEQ ID NO:11 is the VL domain sequences of the antibody A4B4L1FR-S28R, and therefore it should be the same as the corresponding subsequence of the VL chain for this antibody (SEQ ID NO:255). The correct VL *domain* subsequence of the VL *chain* is found in the Sequence Listing as originally filed in SEQ ID NOS: 255. As such, Patentee submits that the corrections are fully supported by the specification of the originally filed application and do not constitute new matter.

Patentee authorizes the PTO to charge the estimated \$100 Certificate of Correction fee to Jones Day Deposit Account No. 50-3013. If there are any other fees due, please charge them to the same Deposit Account.

Date: June 13, 2007



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Enclosure (Certificate of Correction)

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 6,818,216
 DATED : November 16, 2004
 James F. Young
 Scott Koenig
 Leslie S. Johnson
 INVENTOR(S) : William D. Huse
 Jeffrey D. Watkins
 Herren Wu

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 37, lines 63-64, change "with the exception that there is an amino acid substitution of an alanine for a valine at position 109." to --with the exception that there is a valine at position 103, numbered as shown in Figure 2A, and a glutamine at position 112, numbered as shown in Figure 2B.--.

Col. 41-42, Table 2, change "****A4B4L1" to --***A4B4L1FR-S28R--.

Col. 94, lines 48-56, change "Fab fragments having the framework sequences of FIG. 1 and the indicated CDR sequences indicated listed in Table 2. SYNAGIS® AND AFFF are actual monoclonal antibodies with the framework sequences of FIG. 1 and constant regions as described in Johnson et al. (1997, Journal of Infectious Diseases 176:1215-1224) and U.S. Patent No. 5,824,307. The framework sequences of these antibodies may differ slightly from those of the Fab fragments." to --Fab fragments having the framework sequences of FIG. 2 and the CDR sequences listed in Table 2. SYNAGIS® is a monoclonal antibody with the framework sequences of Figure 1 and constant regions as described in Johnson et al. (1997, Journal of Infectious Diseases 176:1215-1224) and U.S. Patent No. 5,824,307. The framework sequences of this antibody may differ slightly from those of the Fab fragments.--.

Col. 123, SEQ ID NO:11 (amino acid 103), line 27, change "Leu" to --Val--.

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